**PATENT** 

ATTORNEY DOCKET NO.: MEDIV2010-4

# N THE UNITED STATES PATENT AND TRADEMARK OFFICE

Epstein et al.

Art Unit: 1632

Application No.: 10/618,183

Examiner: Not Yet Assigned

Filed:

July 10, 2003

Title:

INJECTION OF BONE MARROW-DERIVED CELLS AND MEDIUM FOR

**ANGIOGENESIS** 

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

# TRANSMITTAL SHEET

Transmitted herewith for the above-identified application please find:

- Information Disclosure Statement (2 pages); 1.
- 2. Form PTO-1449 (1 page);
- 3. Nine (9) References; and
- 4. Return Receipt Postcard.

# **CERTIFICATION UNDER 37 CFR §1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, October 29, 2003, in an envelope addressed to: Commissioner for Patents, P. O. Box 4150, Alexandria, VA 22313-1450.

Debbrah Reeves Name of Person Mailing Paper

October 29, 2003

(Signature)

PATENT

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Page 2

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement, because it is being filed prior to the receipt of a first office action on the merits of the above-captioned application. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1355. A duplicate copy of this Transmittal sheet is enclosed.

Respectfully submitted,

Date: Oct 29, 2003

June M. Learn

Registration No.: 31,238 Telephone: (858) 637-1456 Facsimile: (858) 677-1465

**USPTO CUSTOMER NUMBER 28213** GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133



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### INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.97, enclosed are references relating to the above-identified application. For the convenience of the Examiner, these references are listed on the attached Form PTO-1449 and copies are enclosed herewith.

It is respectfully requested that these references be considered in the examination of this application and their consideration be made of written record in the application file.

#### **CERTIFICATION UNDER 37 CFR §1.8**

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GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, CA 92121-2133

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office	Docket No. MEDIV2010-4 (103477-44)	Serial No.: 10/618,183
	Applicant(s): Epstein et al.	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date: July 10, 2003	Group Art Unit: 1632
4 2003		

## **U.S. PATENT DOCUMENTS**

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,817,773	10/06/98	Wilson and Gabrilove			

### FOREIGN PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION (YES/NO)
	AB	WO 91/04274	04/04/91	PCT			
	AC	WO 99/00486	01/07/99	PCT			

# OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)

AD	Dubrey et al., "Improvement of Echocardiographic and Electrocardiographic features in AL Cardiac Amyloidosis with Intensive Melphalan and Autologous Stem Cell Rescue" Boston University School of Medicine, XP-00107 135
 AE	Isner and Asahara, "Angiogenesis and vasculogenesis as therapeutic strategies for postnatal neovascularization" <i>The Journal of Clinical Investigation</i> <b>103 (9):</b> 1231-1236 (1999)
AF	Karen K. Fields, "Autologous Bone Marrow Transplantation and Melanoma: A Focused Review of the Literature" <i>Annals of Plastic Surgery</i> <b>28</b> (1):70-73 (1992), XP-001069809
AG	Noishiki et al., "Autocrine angiogenic vascular prosthesis with bone marrow transplantation" <i>Nature Medicine</i> , <b>2</b> (1):90-93 (1996)
 AH	Tomita et al., "Autotransplanted Mesenchymal Stem Cells Improve Functions After A Myocardial Infarction," Circulation 98 (17):I200 Abstract 1037

EXAMINER .	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

U.S. Department of Commerce Patent and Trademark Office 007 3 1 2003	D cket No. MEDIV2010-4 (103477-44)	Serial No.: 10/618,183	
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INFORMATION DESCLOSURE STATEMENT BY APPLICANT	Filing Date: July 10, 2003	Group Art Unit: 1632	
BY APPLICANT	July 10, 2003		

Y	
ΑI	Yamauchi et al., "New agents for the treatment of infracted myocardium" The FASEB
	Journal 10.1096/fj.99-0565fje (2000)

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